

HOUSE BILL 1910
By Overbey

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 1, relative to bioterrorism vaccinations.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 1, Part 4, is amended by adding the following new section:

68-1-403.

(a) For purposes of this section:

(1) "Department" means the department of health;

(2) "Director" means the commissioner of health;

(3) "Bioterrorism" means the intentional use of any microorganism, virus, infectious substance or biological product that may be engineered as a result of biotechnology or any naturally occurring or bioengineered component of any microorganism, virus, infectious substance or biological product, to cause or attempt to cause death, disease or other biological malfunction in any living organism;

(4) "Disaster locations" means any geographical location where a bioterrorism attack, terrorist attack, catastrophic or natural disaster or emergency occurs; and

(5) "First responders" means state and local law enforcement personnel, fire department personnel and emergency medical personnel who will be deployed to bioterrorism attacks, terrorist attacks, catastrophic or natural disasters and emergencies.

(b) The department shall offer a vaccination program for first responders who may be exposed to infectious diseases or agents when deployed to disaster locations. The vaccinations shall include, but not be limited to, hepatitis A vaccination, hepatitis B vaccination, diphtheria-tetanus vaccination, influenza vaccination, pneumococcal vaccination and other vaccinations when recommended by the United States public health service and in accordance with the federal emergency management directors policy. Immune globulin will be made available when necessary. Such program shall be coordinated with the governor's office of homeland security.

(c) Participation in the vaccination program shall be voluntary by the first responders, except for first responders who are classified as having "occupational exposure" to bloodborne pathogens as defined by the occupational safety and health administration standard contained at 29 CFR 1910.10300 who shall be required to take designated vaccinations pursuant to this section or as otherwise required by law.

(d) A first responder shall be exempt from vaccinations if a written statement from a licensed physician is presented stating that a vaccine is medically contraindicated for that person or if the first responder signs a written statement that the administration of a vaccination conflicts with such first responder's religious tenets.

(e) In the event of a vaccine shortage, the director, in consultation with the governor and the federal centers for disease control and prevention, shall give priority for vaccination to first responders.

(f) The department shall notify first responders of the availability of the vaccination program and shall provide educational materials on ways to prevent exposure to infectious diseases.

(g) The department is authorized to contract with county and local health departments, not-for-profit home health care agencies, hospitals and physicians to administer a vaccination program for first responders.

(h) This section shall be effective upon receipt of federal funding or federal grants for administering a first responders vaccination program. Upon receipt of such funding, the department shall make available the vaccines to first responders as provided in this section.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.